

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

<b>OLIVIA Y., et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>3:04-CV-251-HSO-FKB</b>
	)	
<b>TATE REEVES, as Governor of the</b>	)	
<b>State of Mississippi, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

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**NOTICE OF WITHDRAWAL OF PLAINTIFFS' MOTION FOR  
ATTORNEYS' FEES AND EXPENSES**

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**PLEASE TAKE NOTICE THAT** Plaintiffs hereby withdraw their Motion for Attorneys' Fees and Expenses ("Motion"), filed on July 27<sup>th</sup>, 2022, because the Motion is now Moot. *See* Dkt. 933.

On July 27<sup>th</sup>, 2022, at 2:51 p.m. CST, Plaintiffs' counsel, A Better Childhood ("ABC"), received notice from Defendants that payment for this period would be mailed later that day. *See* Declaration of Marcia Lowry, ¶ 2, attached as Exhibit A. ABC attorneys were unable to confer with local Plaintiffs' counsel, Bradley Arant Boult Cummings LLP, before the latter filed the Motion that same day at 4:53 p.m. CST. *Id* at ¶ 3. On August 4, 2022, Plaintiffs deposited Defendants' payment. *Id* at ¶ 4.

For purposes of this Motion, the issue of payment is, thus, resolved. Accordingly, the pending Motion is moot. However, the parties still disagree on the

timing of future payments. Defendants contend that payments should be made through legislative appropriations. *See* Dkt. 934 at pg. 2. Plaintiffs' position, however, is that this Court has sole authority to determine the time of payment. Plaintiffs most recently briefed this issue in their Memorandum at Dkt. 925, and incorporate that argument here.

This withdrawal is thus made without prejudice to Plaintiffs' continued position that all future attorneys' fees payments be made in a timely matter, without reference to Mississippi's legislative appropriation process.

RESPECTFULLY SUBMITTED, this 17th day of August 2022.

/s/ Marcia Robinson Lowry  
Marcia Robinson Lowry (*pro hac vice*)  
Anastasia Benedetto (*pro hac vice*)  
Jonathan Borle (*pro hac vice*)  
A Better Childhood, Inc.  
355 Lexington Avenue, Floor 16  
New York, New York 10017  
Telephone (646) 808-7344  
Email: mlowry@abetterchildhood.org  
abenedetto@abetterchildhood.org  
jborle@abetterchildhood.org

Wayne Drinkwater, Jr. (MBN 6193)  
Michael J. Bentley (MBN 102631)  
BRADLEY ARANT  
BOULT CUMMINGS LLP  
One Jackson Place, Suite 400  
188 East Capitol Street  
Jackson, Mississippi 39201  
Telephone: (601) 948-8000  
Facsimile: (601) 948-3000  
Email: wdrinkwater@bradley.com  
mbentley@bradley.com

CERTIFICATE OF SERVICE

I hereby certify that on August 17, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will deliver copies to all counsel of record.

/s/ Marcia Robinson Lowry  
Marcia Robinson Lowry (*pro hac vice*)